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protein encoded by said gene, said gene and upstream region of said gene having no homology to the vector that would facilitate homologous recombination of the vector with the genome to cause expression.

96. (Reinstated-formerly claim # 76) A purified cell expressing a protein encoded by an endogenous gene, said cell comprising in its genome an inserted genetic construct, the genetic construct comprising a transcriptional regulatory sequence operably linked to a splice donor sequence, said transcriptional regulatory sequence on the construct being linked effectively in the cell's genome to cause expression of a protein encoded by said gene and said splice donor sequence being spliced to a splice acceptor sequence in said gene, the genetic construct being inserted into said gene or upstream region of said gene by non-homologous recombination.

97. (Reinstated-formerly claim # 77) A purified cell expressing a protein encoded by an endogenous gene, said cell comprising in its genome an inserted genetic construct, the genetic construct comprising a transcriptional regulatory sequence operably linked to a splice donor sequence, said transcriptional regulatory sequence on the genetic construct being linked effectively in the cell's genome to cause expression of a protein encoded by said gene and said splice donor sequence being spliced to a splice acceptor sequence in said gene, said genetic construct not containing a targeting sequence that would facilitate homologous recombination of the construct with the genome to activate expression of said gene.

REMARKS

Applicants would like to thank the Examiner for the telephone conference of June 2, 2003 in which the Examiner indicated that the above claims would be entered if submitted along with a Request for Continued Examination.

Claims 55-77 were pending in the instant application. Claims 55-77 have been cancelled by the amendments presented herein. Claims 78-97 were added by the

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amendments presented herein. Accordingly, after the amendments presented herein have been entered, claims 78-97 are under consideration.

The newly added claims were originally added in the Amendment submitted June 26, 2001, and subsequently withdrawn as being to non-elected subject matter. Claims 78-97 are therefore pending in the instant application. No new matter is being presented.

CONCLUSION

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. If a telephone conversation with Applicants' Attorney would expedite prosecution of the above-identified application, the Examiner is invited to call the undersigned at (617) 227-7400.

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